



MEMORANDUM

To: Monzer Hourani

From: Jim Collier *JC*

Date: April 12, 2002

Re: Nelson Brantley Glass Contractors

Monzer,

Attached is my copy of the recent letter from Jack Darnall documenting Brasfield and Gorrie's and CLA's thinking and recommendations regarding the use of Nel-Bran as the glass subcontractor for the Hospital project.

I would totally agree with Jack's assessment of the team's recommendation of Nel-Bran. It is in the best interest of the project's budget and schedule to move ahead with their selection as a partner to work with.

Please bear in mind that we will still take competitive bids for this package of work when the construction documents are completed.

I continue to urge that we all use the utmost in care to avoid any hint of favoritism being exercised in this selection.

Thank you,
Jim

MEDISTAR CORPORATION

Medical Real Estate Development

504 Brookwood Boulevard • Birmingham, Alabama 35209 • (205) 970-2288 • FAX (205) 970-0990

HHEC 412-0079
Confidential Treatment
Requested by HealthSouth Corp.

Monzer Glass Issue

*w/ Judge —
January '03*

April 8, 2002

Mr. Monzer Hourani
Medistar
7670 Woodway, Suite 160
Houston, TX 77063

Re: *HEALTHSOUTH Medical Center
Birmingham, Alabama
Glass Subcontractor*

Dear Monzer:

Both internally and with our design partner, CLA, we have discussed at length the need and timeliness of hiring a glass subcontractor on a negotiated basis. In order for Brasfield & Gorrie to commit to delivering this building in June 2004, we need to move in this direction as both the design and construction team feel we need the services that a sub has to offer. There are several reasons for this:

- 1.) Submittal process needs to begin immediately. The submittal process is critical to the design team to help finalize construction document details that are a critical part of the weatherproof design. The project team will benefit from this input.
- 2.) Mock-up Construction has begun, we need to work with the subcontractor who is performing this in order to flush out construction details and we do not need to lose those involved who are already down the learning curve path.
- 3.) Project phasing and scheduling considerations. The curtainwall is a major component of the project schedule. If the project schedule is to be met, we need the services of a glass subcontractor partner to help us trim time out of the schedule as well as maintain the current crunch schedule we are working towards.
- 4.) By having a subcontractor partner on board, we can finalize the integral details of both the design and construction schedule and allow others to focus on other critical areas of the building.
- 5.) Our original schedule required us to have a curtainwall sub on board by April 1 with a design package in hand. Major scope additions to the project have pushed the glass package out but the need for having a sub on board is even greater.

Brasfield & Gorrie whole-heartedly endorses hiring Nelson Brantley as our glass subcontractor partner to work with us to help achieve the schedule, budget, and quality goals and set forth by HEALTHSOUTH and Medistar. Brasfield & Gorrie will work diligently with Nelson Brantley to negotiate a fair and competitive contract that allows Nelson Brantley to continue work yet ensures

HEALTHSOUTH a competitive price that complies with the parameters surrounding this job. The benefits of working with Nelson Brantley as opposed to other qualified subs are as follows:

1. The Nelson Brantley "team" understands the project schedule and are actively working with us to reduce the overall durations. This is critical in allowing us to commit to the accelerated project schedule.
2. The Nelson Brantley "team" clearly understands the project budget and its constraints.
3. The Nelson Brantley "team" clearly understands the look and design feel that this client desires and can help the project team work towards that design to assure that nothing is compromised in the way of aesthetics.
4. Nelson Brantley is Alabama based.
5. The Nelson Brantley "team" uniquely understands HEALTHSOUTH's goals with this project. Having a subcontractor team member who understands and embraces "the dream and the vision" is both a necessity and a benefit based upon their commitment to the same goals as all of us currently on the team. This would certainly not just be "another job" as we would encounter with any other company.
6. Most importantly, Brasfield & Gorrie needs the services of someone who has the capability of making the schedule happen as it relates to the curtainwall and glass systems. In order for Brasfield & Gorrie to commit to the accelerated schedule, Nelson Brantley has committed to help us accelerate this portion. If the building is not dried-in, it puts even more of the finishes at risk by exposing them to the weather.

I realize that our approach and recommendation are different than the normal process but this has become an "unorthodox project" with regards to design packaging, information flow, and construction approach. It is in our appreciation for this and our desire to meet our mutual clients' needs that lead us to this position. Thank you for help in this matter.

Yours truly,

Jack Darnall
Vice President
Healthcare Division Manager

cc: Jim Collier
Miles Creel
Dan Luhrs
Alan Anthony
Steve Haney